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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,486	04/12/2006	Hirofumi Moriya	288345US3PCT	3421
22850	7590	12/23/2008		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER PUROL, DAVID M	
			ART UNIT 3634	PAPER NUMBER
			NOTIFICATION DATE 12/23/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/575,486	Applicant(s) MORIYA ET AL.	
	Examiner David M. Purol	Art Unit 3634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 3634

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 9-16 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

These claims are replete with indefinite language for which its intended meaning is not understood and narrative in form setting forth functional or operational language for which there is insufficient structural recitation to warrant its presence. For example: claim 9, line 6 "via an elongated", line 10 "via a wire", line 11 "being horizontally inserted into", line 12 "via a guide" and "provided in the", line 28 "is passed through"; claim 10, line 4 "via a first" and "is screwed from", line 7 "penetrating the guide part" and "to be passed through"; claim 11, line 5 "sandwiching the projecting", line 6 "is screwed through"; claim 12, line 3 "is screwed", line 4 "is screwed from an opening side"; claim 13, line 4 "by sandwiching the", lines 5-6 "is screwed through"; claim 14, line 2 "is installed in the frame body", line 3 "formed in the", line 4 "the latched state" for which there is no antecedent basis; claim 15, line 3 "a defined range in the frame body"; claim 16, line 3 "at a position wherein the latching mechanism is installed", lines 5-6 "slidably inserted into the", line 6 "a receiving hole formed in the"

Claim 16 is further indefinite for it recites the latching mechanism as comprising a pair of side walls, a notched portion, a connecting wall, and a sliding groove, wherein, it is the vertical frame member which comprises these elements and not the latching mechanism.

The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 2002-371776 in view of JP 3057007 and Hoshiyama (U.S. Patent No. 5,351,737). JP 2002-371776 discloses a sliding screen door 22 having an end secured to a vertical frame member 21a and the other end attached to an operating doorframe 23, wires 24, a counter weight 26, a spring member 29. While JP 2002-371776 does not disclose the use of a wire adjusting mechanism, JP 3057007 discloses a sliding screen door which employs the use of a wire adjusting mechanism 1,5,7,11,9,3,15, wherein, to incorporate this teaching into the sliding screen door of JP 2002-371776 for the purpose of accommodating openings of various widths would have been obvious to one of ordinary skill in the art. While JP 2002-371776 does not set forth the particular manner in which the screen is secured to the vertical frame member, Hoshiyama discloses a sliding screen door comprising a screen 13 having an endplate 14 detachably mounted to a frame member 3,8, wherein, to incorporate this teaching into the sliding screen door

Art Unit: 3634

of JP 2002-371776 for its explicit purpose would have been obvious to one of ordinary skill in the art.

3. Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 2002-371776 in view of JP 3057007 and Hoshiyama (U.S. Patent No. 5,351,737) as applied to claims 9-13 above, and further in view of JP 2002-357068. While JP 2002-371776 does not disclose the use of a latching mechanism including a receiving hole, JP 2002-357068 discloses a sliding door comprising a latching mechanism including a receiving hole 15,13a, wherein, to incorporate this teaching into the sliding door of JP 2002-371776, as modified by JP 3057007 and Hoshiyama, for its explicit purpose of securing the sliding door would have been obvious to one of ordinary skill in the art.

4. The applicants state that claims 1-8 have been canceled in favor of new claims 9-16 which have been rewritten with an eye toward overcoming the objections found in the rejection under 35 U.S.C. § 112 which is believed to be moot. However, new claims 9-16 contain similar language as that presented in original claims 1-8. Applicants are reminded that a complete response under 35 U.S.C. 1.111 requires their reply to distinctly and specifically point out the supposed errors in the Examiner's action and must reply to every ground of objection and rejection in the prior Office action.

The applicants argue that no obvious combination of the prior art would teach or suggest the presently claimed invention including a vertical frame member having a longitudinal sliding groove opening in a direction facing the screen wherein the

Art Unit: 3634

elongated end plate of the screen is detachably mounted to the vertical frame member so as to cover the guide part and the adjusting member in the sliding groove. It is noted that these newly claimed features of the claimed invention are disclosed by the reference to Hoshiyama which discloses the use of an elongated end plate 14.

Applicants arguments have been fully considered but they are not persuasive inasmuch as all the claimed elements are known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

5. Applicant's amendment canceling claims 1-8 and presenting new claims 9-16 of a different scope not previously considered necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 3634

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to David M. Purol whose telephone number is (571) 272-6833.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Katherine Mitchell, can be reached at (571) 272-7069. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/David M Purol/
David M Purol
Primary Examiner
Art Unit 3634

/D. M. P./
(571) 272-6833
December 17, 2008